

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
	)	
Marshall S. Horwitz et al	)	Group Art Unit: 1632
	)	
Serial No.: 09/132,231	)	Examiner: Not Assigned
	)	
Filed: August 11, 1998	)	
	)	
For: METHOD FOR PRODUCING	)	
NOVEL DNA SEQUENCE	)	
WITH BIOLOGICAL ACTIVITY	)	

**PRELIMINARY AMENDMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Prior to examination, please amend the above-identified application as follows:

**IN THE CLAIMS:**

Please delete claims 1 and 2 without prejudice or disclaimer.

Please add new claims 3-14 as follows:

--3. A method of identifying a functional DNA sequence which provides a desired biological activity comprising:

- a. providing a means for detecting said desired biological activity;
- b. synthesizing a mixed population of random DNA sequences;